

**REMARKS**

Claims 1 through 20 are extant in the case.

Claims 1 through 20 are rejected. Claims 4 and 10 are rejected under 35 U.S.C. § 112, second paragraph. Claims 1 through 20 are rejected under 35 U.S.C. § 103(a).

**Rejection of Claims 4 and 10 under 35 U.S.C. § 112, second paragraph**

Examiner has rejected claims 4 and 10 are rejected under 35 U.S.C. § 112, second paragraph indicating there is insufficient antecedent basis for language in each of these claims. Applicant has amended claim 4 and 10 to correct the lack of antecedent basis pointed out by Examiner. Applicant has also amended claims 1, 11 and 19 adding a comma to each claim.

**Rejection of claims 1 through under 35 U.S.C. § 103(a)**

Examiner has rejected claims 1 and 2 under 35 U.S.C. § 103(a) as being unpatentable over USPN 6,640,010 B2 (Seeger). Examiner has rejected claims 3 through 20 under 35 U.S.C. § 103(a) as being unpatentable over Seeger in view of USPN 5,634,094 (Ueda). Applicant respectfully traverses the rejections and requests reconsideration.

Criteria for a Rejection under 35 U.S.C. § 103

The U.S. Patent and Trademark Office has set forth a methodology for establishing a *prima facie* case of obviousness. Specifically three basic criteria must be met.

First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

See MPEP 706.02 (j).

Appellant believes the Examiner has failed to establish a *prima facie* case of obviousness for the claims extant in the present case because there are claim limitations that are not taught or suggested by any of the cited references.

Applicant below points out subject matter in each of the independent claims that is not disclosed or suggested by the cited references. On the basis of this, Applicant believes all the claims are allowable over the cited references.

Summary of Seeger

Seeger discloses an image processing technique for selecting a text region from an image. A first and last word within a selected text region is identified based on at least one active region associated with at least one word within the selected text region. Using the first and last words within the selected text region, all words within the selected text region are identified. An image of the

selected text region may be displayed. Text contained within the selected text region may be copied to an application program. See the Abstract.

Seeger uses bounding boxes around words *to detect* the format of a document on which optical character recognition (OCR) is performed. See column 4, lines 48 through 65. However, Seeger does not use the bounding boxes around words *to format* text in a document, as set out in the claims of the present case.

#### Discussion of Independent Claim 1

Claim 1 sets out a method for formatting text in a document. In step (a), bounding shapes are placed around each word in the text. In step (b), a first word is situated in a first valid location within a page. In step (c), subsequent words are situated in subsequent valid locations on the page. Once any word is situated, a bounding shape for the word sets out an area invalid for additional word placement.

#### Use of a bounding shape to set out an area invalid for additional word placement:

Examiner has conceded that Seeger does not disclose: "a bounding shape sets out an area invalid for additional word placement." Examiner then argues as follows:

However, it would have been obvious for a person of ordinary skill in the art at the time of the invention to set out the bounding box as an area invalid for additional word placement, because Seeger teaches the enhancement of usability and productivity of

text selection (col. 3, lines 47-53). This would provide the benefit of keeping words from overlapping each other, thereby rendering the OCRed text unreadable, and unusable.

In column 3, lines 47 through 53, Seeger is not discussing word placement (situating words), as set out in step (c) of claim 1. Rather, in column 3, lines 47 through 53, Seeger is discussing using information derived from OCR to perform text selection. See column 3, lines 31 through 43. In text selection, the first and last word within a selected text region is identified based on at least one active region associated with at least one word within the selected text region. Using the first and last words within the selected text region, all words within the selected text region are identified. See the Abstract.

Examiner has made the following statement: "This would provide the benefit of keeping words from overlapping each other, thereby rendering the OCRed text unreadable, and unusable." This statement by Examiner does not make sense in the context of Seeger at column 3, lines 47 through 53. In Seeger, bounding boxes around words are determined for text that is being recognized, not placed. When words are being recognized, bounding boxes do not prevent overlap, because the words are already located on the page being recognized. In Seeger, placement of bounding boxes around words does not prevent overlap and is unrelated to overlap. Rather, during OCR, the bounding boxes for words allow the OCR program to divide text into words for the purpose of word recognition. The bounding boxes are not pertinent to any subsequent placement

of the words and are not related to subsequent placement of the recognized words within a text region.

In claim 1 of the present application, bounding shapes are placed around each word in the text when formatting the text in a document. In Seeger, bounding boxes are used for the purpose of optical character recognition and are not used to format text in document. Seeger, therefore, does not disclose or suggest the subject matter of claim 1.

Discussion of Independent Claim 11

Claim 11 sets out a method for formatting text in a document. In step (a), bounding shapes are placed around each word in the text. Step (d) indicates that once any word is situated, a bounding shape for the word sets out an area invalid for additional word placement. This is not disclosed or suggested by Seeger or Ueda.

Use of a bounding shape to set out an area invalid for additional word placement:

Examiner has conceded that Seeger does not disclose: "a bounding shape sets out an area invalid for additional word placement." Ueda does not disclose or suggest the use of bounding shapes around words. Examiner, however, has argued that it would have been obvious for a person of ordinary skill in the art at the time of the invention to set out the bounding box as an area invalid for additional word placement. Examiner has asserted this would provide the

benefit of keeping words from overlapping each other, thereby rendering the OCRed text unreadable, and unusable as follows:

However, in the portion of Seeger cited by Examiner, column 3, lines 47 through 53, Seeger is not discussing word placement (situating words), as set out in step (d) of claim 11. Rather, in column 3, lines 47 through 53, Seeger is discussing using information derived from OCR to perform text selection. See column 3, lines 31 through 43. In text selection, the first and last word within a selected text region is identified based on at least one active region associated with at least one word within the selected text region. Using the first and last words within the selected text region, all words within the selected text region are identified. See the Abstract.

Examiner has made the following statement: "This would provide the benefit of keeping words from overlapping each other, thereby rendering the OCRed text unreadable, and unusable." This statement does not make sense in the context of Seeger at column 3, lines 47 through 53. In Seeger, bounding boxes around words are determined for text that is being recognized, not placed. When words are being recognized, bounding boxes do not prevent overlap, because the words are already located on the page being recognized. In Seeger, placement of bounding boxes around words does not prevent overlap and is unrelated to overlap. Rather, during OCR, the bounding boxes for words allow the OCR program to divide text into words for the purpose of word recognition. The bounding boxes are not pertinent to any subsequent placement of the words

and are not related to subsequent placement of the recognized words within a text region.

In claim 11 of the present application, bounding shapes are placed around each word in the text when formatting the text in a document. In Seeger, bounding boxes are used for the purpose of optical character recognition and are not used to format text in document. Seeger, therefore, does not disclose or suggest the subject matter of claim 11.

Discussion of Independent Claim 19

Claim 19 sets out storage media that stores software which when executed performs a method for formatting text in a document. In step (a), bounding shapes are placed around each word in the text. Step (c) indicates that once any word is situated, a bounding shape for the word sets out an area invalid for additional word placement. This is not disclosed or suggested by Seeger or Ueda.

Use of a bounding shape to set out an area invalid for additional word placement:

Examiner has conceded that Seeger does not disclose: "a bounding shape sets out an area invalid for additional word placement." Ueda does not disclose or suggest the use of bounding shapes around words. Examiner, however, has argued that it would have been obvious for a person of ordinary skill in the art at the time of the invention to set out the bounding box as an area invalid for

additional word placement. Examiner has asserted this would provide the benefit of keeping words from overlapping each other, thereby rendering the OCRed text unreadable, and unusable as follows:

However, in the portion of Seeger cited by Examiner, column 3, lines 47 through 53, Seeger is not discussing word placement (situating words), as set out in step (c) of claim 19. Rather, in column 3, lines 47 through 53, Seeger is discussing using information derived from OCR to perform text selection. See column 3, lines 31 through 43. In text selection, the first and last word within a selected text region is identified based on at least one active region associated with at least one word within the selected text region. Using the first and last words within the selected text region, all words within the selected text region are identified. See the Abstract.

Examiner has made the following statement: "This would provide the benefit of keeping words from overlapping each other, thereby rendering the OCRed text unreadable, and unusable." This statement does not make sense in the context of Seeger at column 3, lines 47 through 53. In Seeger, bounding boxes around words are determined for text that is being recognized, not placed. When words are being recognized, bounding boxes do not prevent overlap, because the words are already located on the page being recognized. In Seeger, placement of bounding boxes around words does not prevent overlap and is unrelated to overlap. Rather, during OCR, the bounding boxes for words allow the OCR program to divide text into words for the purpose of word recognition.

The bounding boxes are not pertinent to any subsequent placement of the words and are not related to subsequent placement of the recognized words within a text region.

In claim 19 of the present application, bounding shapes are placed around each word in the text when formatting the text in a document. In Seeger, bounding boxes are used for the purpose of optical character recognition and are not used to format text in document. Seeger, therefore, does not disclose or suggest the subject matter of claim 19.

**Conclusion**

Applicant believes this Amendment has placed the present case in condition for allowance and favorable action is respectfully requested.

Respectfully submitted,  
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